

Application No. 10/082,418
Reply to Office Action of October 6, 2005

C. REMARKS

Status of the Claims

Claims 1-3, 5-10, 12-17, and 19-21 are pending in the application. Claims 22-26 are cancelled. Claims 1, 3, 5, 7, 8, 10, 12-15, 17, 19, and 21 are amended. Claims 27-32 are newly added.

Claims 1, 8, and 15 are not anticipated by Yaker or obvious under Yaker in view of Heck, King and Jonsson

Claims 1, 8, and 15 stand rejected under 35 U.S.C. §102(b) as being disclosed by Yaker. (US Patent Number 6,594,230) "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoeckma*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Applicants traverse the rejection and respectfully request that the rejection be withdrawn and claims 1, 8, and 15 allowed.

Claim 1 currently reads:

1. (Currently Amended) A method for regulating use of a telephone line, comprising:
 - detecting an authenticated identity of a caller requesting use of a telephone line to place an outgoing call and a subject of said outgoing call at at least one service located within a packet-switching network outside a trusted telephone network facilitating said outgoing call and communicative with a service provider within said trusted telephone network via a secured gateway, wherein said subject of said outgoing call specifies at least one anticipated subject matter to be discussed during said outgoing call;[[and]]
 - selecting, using said service, at least one relevant scheduled event for said telephone line from among a plurality of scheduled events for said telephone line, wherein said at least one relevant scheduled event specifies at least one limitation on at least one type of subject matter allowed during a current time period and a selection of user identities allowed to place outgoing calls via said telephone line during said current time period;
 - only directing said service provider within said trusted telephone network to allow[[ing]] use of said telephone line to place said outgoing call by said caller during said current time period if a schedule for said telephone line indicates that

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said caller identity matches one of said selection of user identities ~~[[is]]~~ currently allowed to place said outgoing call and said subject matter of said outgoing call matches said at least one type of subject matter allowed during said current time period.

In particular, the Examiner states the following grounds of rejection of claims 1, 8, and 15:

Yaker discloses a method, system, and program for regulating use of a telephone line, comprising: detecting an identity (e.g. passwords or identifiers) of a caller requesting use of a telephone line to place an outgoing call (See col. 4 lines 26-35 and col. 5-6 lines 60-3); and only allowing use of said telephone line to place said outgoing call by said caller if a schedule (e.g. day of week or time of day) for said telephone line indicates that said caller identity is currently allowed to place said outgoing call (See col. 5 lines 45-59). [Office Action, p. 3]

Applicants amend claims 1, 8, and 15 to overcome Yaker. In addition, Applicants incorporate dependent claims 4, 11, and 18 into claims 1, 8, and 15, respectively, and traverse the rejection of these dependent claims as amended into claims 1, 8, and 15. Applicants respectfully request withdrawal of the rejection and allowance of claims 1, 8, and 15 in view of the amendments that clearly show that claims 1, 8, and 15 are not taught by Yaker or obvious in view of Yaker and King (US Patent 5,872,841) or Jonsson (US Patent 6,115,613).

Applicants note that claims 1, 8, and 15 are amended to include elements of detecting an authenticated identity of a caller requesting use of a telephone line to place an outgoing call and a subject of said outgoing call at at least one service located within a packet-switching network outside a trusted telephone network facilitating said outgoing call and communicative with a service provider within said trusted telephone network via a secured gateway and only directing said service provider within said trusted telephone network to allow use of said telephone line to place said outgoing call by said caller. Applicants note that the specification supports the amended element throughout, and for example, paragraphs 0035, 0045, 0047, 0049, 0058-0060, and 0072 teach the trusted telephone network as distinguished from a service located within a packet-switching network outside the trusted telephone network and the secured gateway between the trusted telephone network and packet-switching network and paragraphs 0085, 0087, 0116, 0117, 0127, 0129, 0138, and 0141 describe the service including a context inference service for detecting a subject matter of a call and a schedule

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regulation service for determining time regulations for outgoing calls and directing the service provider with the time regulations for an outgoing call. Applicants respectfully assert that Yaker does not teach or suggest a service accessible via a packet-switching network that directs the service provider within the trusted telephone network whether to allow or block an outgoing call. Further, Applicants respectfully assert that neither King or Jonsson, which are also cited by the Examiner, teach or suggest a service accessible via a packet-switching network that directs the service provider within a trusted telephone network handling an outgoing call whether to allow or block an outgoing call as defined by the specification of the present invention.

Next, Applicants note that the Examiner rejected claims 4, 11 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Yaker (US 6,594,230) and in view of Heck (US 6,671,672) and/or in view of the Examiner's Official Notice, in view of King (US 5,872,841) and further in view of Jonsson (US 6,115,613). Claims 4, 11, and 18 included the elements of "detecting a subject for said outgoing call requested by said caller" and "filtering said schedule according to said subject for said outgoing call." The Examiner stated that none of Yaker, Heck or King taught the elements of claims 4, 11, and 18, but that Jonsson taught the elements based on the disclosure that "the subject of the call could be a specific number/called party, wherein the system filters the schedule according to whether or not the specific number/called party is prohibited or not" in col. 6, lines 37-48 and col. 6 lines 60-65. [Office Action, pp. 6-7] First, Applicants respectfully assert that when claims 4, 11, and 18 are viewed as a whole with claims 1, 8, and 15, it is clear that the "subject of the call" is not the callee, but the subject matter to be discussed during the call. Nevertheless, in incorporating claims 4, 11, and 18 into claims 1, 8, and 15, Applicants clarify that the subject of the call is the subject matter to be discussed during the call and not the party to be called. Throughout the specification of the application and in the examples depicted, for example in paragraphs 0097, 0104, and 0127, the subject matter may specify generally whether the call purpose is for discussing a subject of a personal nature versus a business nature or could more specifically designate a particular product to be discussed. Applicants respectfully assert that because Jonsson does not teach detecting the subject matter of an outgoing call, Yaker in view of King and Jonsson does not teach or suggest each and every

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element of claims 1, 8, and 15 as amended to teach detecting the subject matter of an outgoing call.

In addition, Applicants respectfully assert that because Jonsson does not teach detecting the subject matter of a call, Jonsson also does not teach or suggest filtering the schedule according to the anticipated subject matter to be discussed during the outgoing call. Applicants amend claims 1, 8, and 15 to include the element of selecting, using said service, at least one relevant scheduled event for said telephone line from among a plurality of scheduled events for said telephone line, wherein said at least one relevant scheduled event specifies at least one limitation on at least one type of subject matter allowed during a current time period and a selection of user identities allowed to place outgoing calls via said telephone line during said current time period. Thus, Applicants amend claims 1, 8, and 15 to clarify that in filtering a schedule with the subject matter for a call, the service selects a relevant scheduled event for the telephone line that specifies a limitation on the types of subject matter that can be discussed during the time period for the scheduled event. None of Yaker, Heck, King or Jonsson specify limiting the schedule for a telephone line to particular subject matter during a scheduled time period and therefore none of Yaker, Heck, King or Jonsson, separately or in combination teach selecting at least one relevant scheduled event that specifies limitations on types of subject matter to be discussed during a call during a particular time period.

Further, because none of Yaker, Heck, King or Jonsson teach or suggest detecting the anticipated subject matter of a call, none of Yaker, Heck, King or Jonsson separately or in combination teach or suggest only directing said service provider within said trusted telephone network to allow use of said telephone line to place said outgoing call by said caller during said current time period if said caller identity matches one of said selection of user identities currently allowed to place said outgoing call and said subject matter of said outgoing call matches said at least one type of subject matter allowed during said current time period.

Applicants note the amended claim requires both that the identified caller be allowed to place a call during the current time period and that the anticipated subject matter of the call must be allowed for the service to direct the service provider to allow use of the telephone line for the outgoing call. None of Yaker, Heck, King or Jonsson, separately or in combination teach or

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suggest a regulating schedule for a telephone line that is both caller identity and subject matter specified for different time periods or allowing or blocking calls based on both whether both the caller identity and anticipated subject matter of the call are allowed.

Therefore, in view of the amendments to claims 1, 8, and 15 to overcome Yaker and the clarifications in the incorporated elements from dependent claims 4, 11 and 18, to clearly show that Yaker in view of Heck, King and Jonsson does not teach or suggest all the elements of claims 1, 8, and 15, Applicants respectfully request allowance of claims 1, 8, and 15.

Claims 2, 9, and 16 are not obvious under Yaker in view of Heck and/or in view of Official Notice

Claims 2, 9, and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yaker (US 6,594,230) and in view of Heck (US 6,671,672) and/or in view of the Examiner's Official Notice. Applicants note the above proposition that claims 1, 8, and 15 are not taught by Yaker, and therefore as dependent claims of allowable subject matter, claims 2, 9, and 16 should also be allowed.

Claims 3, 5-7, 10, 12-14, 17, and 19-21 are not obvious under Yaker in view of Heck and/or Official Notice and further in view of King

Claims 3, 5-7, 10, 12-14, 17, 19-21, 23 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yaker (US 6,594,230) and in view of Heck (US 6,671,672) and/or in view of the Examiner's Official Notice and further in view of King (US 5,872,841). Applicants first note the above proposition that claims 1, 8, and 15 are not taught by Yaker, and therefore as dependent claims of allowable subject matter, claims 3, 5-7, 10, 12-14, 17, 19-21, should also be allowed. Applicants note the amendments to claims 3, 5, 10, 12, 17, and 19 to overcome the Examiner's rejections and request withdrawal of the rejections and allowance of these claims. In addition, Applicants note the amendments to claims 7, 13, 14, and 21 to maintain antecedent basis in view of the amendments to claims 1, 8, and 15.

With respect to claims 3, 10, and 17, claim 3 which is representative of claims 10 and 17 in rejection reads:

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3. (Currently Amended) The method for regulating use according to claim 1, further comprising:

detecting, at said service, an estimated time duration for [a] said outgoing call requested by said caller, wherein said expected time duration for said outgoing call is detected from a caller profile associated with said authenticated identity comprising at least one from among an averaged time per call by said caller over a selection of previous call times stored in said caller profile and a schedule for said caller indicating scheduling limitations on a duration of said outgoing call; and

responsive to said estimated time duration exceeding said current time period, alerting said caller to said time limitation and enabling said caller to select to add a new scheduled event to said plurality of scheduled events for said telephone line designating a particular time period reserved for said caller identity and said subject for said estimated time duration.

~~filtering said schedule according to said estimated time for said outgoing call.~~

As to the elements of “detecting an estimated time for said outgoing call requested by said caller” and “filtering said schedule according to said estimated time for said outgoing call”, the Examiner stated that col. 2-3, lines 57-6 of King disclosed the elements of claims 3, 10, and 17 and that “it would have been obvious to one of ordinary skill in the art at the time of the invention to employ this feature within the system as a way of allowing the caller to schedule a time to place an outgoing call and being able to maintain that scheduled time.” [Office Action, pp. 4-5] Applicants note that col. 2-3, lines 57-6 of King describes:

the calendar system schedules the telephone call by obtaining from the calling party an estimated duration of a telephone call.... The estimated duration of the telephone call is obtained from the calling party, for example, by requesting the calling party to indicate the estimated duration of the telephone call and receiving from the calling party the estimated duration of the telephone call. The calling party can communicate the estimated duration using a telephone keypad or using speech which is recognized by the calendar system using speech recognition technology.

King, however, does not describe detecting an estimated time in any manner other than the calling party entering the estimated call time. In contrast, claims 3, 10, and 17 are amended to teach said expected time duration for said outgoing call is detected from a caller profile associated with said authenticated identity comprising at least one from among an averaged time

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per call by said caller over a selection of previous call times stored in said caller profile and a schedule for said caller indicating scheduling limitations on a duration of said outgoing call. The specification supports the amendment throughout, and for example, in paragraphs 0086 and 0126.

In addition, Applicants amend claims 3, 10, and 17 in view of the amendments to claims 1, 8, and 15 to clarify in addition to allowing or blocking the call in view of the scheduled events for the telephone line, that responsive to said estimated time duration exceeding said current time period, alerting said caller to said time limitation and enabling said caller to select to add a new scheduled event to said plurality of scheduled events for said telephone line designating a particular time period reserved for said caller identity and said subject for said estimated time duration. The specification supports the amendment throughout, and for example, in paragraphs 0140, 0142, and 0158-0160. In addition, Applicants respectfully assert that Yaker only describes regulating call blocking by time of day (*Yaker*, col. 5, lines 45-59) and King only describes a voice mail system for a callee enabling a caller to schedule a call in the callee's schedule and also adding the call to the caller's schedule (*King*, col. 2-3, lines 57-6). Neither Yaker nor King teaches or suggests detecting that an estimated time duration exceeds the current time period allowed for the caller to place the outgoing call, alerting the caller to the limitation, and enabling the caller to select to add a schedule regulation to use of the telephone line in a future time period.

Applicants note that Heck and the official notice (that the use of voice recognition to identify a caller is old and notoriously well known in the art), cited with respect to the rejection of claims 2, 9, and 16 and claims 3, 10, and 17 not applicable to claims 3, 10, and 17, as claims 3, 10, and 17 are not dependent upon claims 2, 9, and 16. Nevertheless, Applicants respectfully assert that Yaker in view of Heck and/or official notice and in view of King does not teach or suggest each and every element of amended claims 3, 10, and 17, and therefore the claims are not obvious and should be allowed.

With respect to claims 5, 12, and 19, claim 5, which is representative of claims 12 and 19 with respect to rejection, reads:

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5. **(Currently Amended)** The method for regulating use according to claim 1, further comprising:

detecting an amount of redeemable points available to said caller in a caller profile associated with said caller identity for placing said outgoing call; and

comparing [[filtering]] a point cost for each minute during said current time period of said relevant scheduled event according to said amount of redeemable points available for said outgoing call and directing said service provider to only allow said outgoing call for a calculated time period available to said caller during said current time period with said [[an]] amount of redeemable points required for at least one portion of said schedule.

The Examiner equates the amount of points with “an importance or priority of the caller” and states that col. 10, lines 1-60 and col. 11 lines 4-18 of King teach the elements of claim 5, prior to amendment. Applicants note that King, col. 10, lines 51-60 describe setting aside certain time slots in a schedule for only VIP people, identified by calling number or password. Thus, King only classifies callers as priority or general; King does not enable each caller to have a different number of points accessible for redeeming for using an telephone line for an outgoing call. Further, King does not describe time periods regulated per minute by a redemption of points, but merely that some time periods are only available for scheduling by a VIP caller. See King, col. 11, lines 4-18. Nevertheless, regardless of the Examiner’s previous assertions, Applicants amend claim 5 to clarify that each caller, in the caller’s profile, has a detectable amount of redeemable points and that each scheduled event specifies a point cost per minute of usage of the telephone line, wherein the service directs the service provider to only allow the outgoing call for a time period based on the points redeemable by the caller for that time period. The specification supports the amendment throughout, and in particular, in paragraphs 0137 and 0154-0156 and Figure 6.

Applicants note that Heck and the official notice (that the use of voice recognition to identify a caller is old and notoriously well known in the art), cited with respect to the rejection of claims 2, 9, and 16 and claims 5, 12, and 19 not applicable to claims 5, 12, and 19, as claims 5, 12, and 19 are not dependent upon claims 2, 9, and 16. Nevertheless, Applicants respectfully assert that neither Yaker in view of King or Yaker in view of Heck and/or official notice and in

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view of King teaches or suggests each and every element of amended claims 5, 12, and 19, and therefore the claims are not obvious and should be allowed.

Newly Added Claims 27-32

Applicants note the addition of claims 27-32, which are properly supported in the specification, and request entry and allowance of newly added claims 27-32. In particular, Applicants note that the specification supports newly added claims 27-32 in paragraphs 0097, 0127, and 0177.

In particular, Applicants note that claims 27-32 further specify the limitation of detecting a subject matter of a call. The Examiner cited Jonsson as teaching the limitation of detecting a subject of a call. As previously noted, Applicants respectfully disagree with the Examiner's assertion that the subject of a call is taught by the number or called party, however, Applicants have amended claims 1, 8, and 15 to clarify that the subject of a call is the anticipated subject matter to be discussed during a call. Thus, not only does Jonsson not teach detecting the subject of the call, but none of Yaker, Heck, the Examiner's Official Notice, King or Jonsson teach detecting the subject of the call as specified in claims 27-32.


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Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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